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PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION
MEETING DATE AND TIME:	Thursday, August 8, 2013 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES FOR APPROVAL	September 12, 2013

MEMBERS PRESENT

Michael Harrington, Sr., Professional Member, Chairman
Andrew Staton, Professional Member, Vice Chairman
Ricky H. Allamong, Professional Member, Secretary
Gilbert Emory, Public Member
James C. Brannon, Jr., Public Member
Patricia O'Brien, Public Member

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Kelly, Deputy Attorney General
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Christopher J. Whitfield, Professional Member
Vincent M. White, Professional Member
Joseph F. McCann, Public Member

ALSO PRESENT

James Collins, Director of Professional Regulation
Kay Warren, Deputy Director of Professional Regulation
Lauren Felton
Craig Brown
Chris Vitale, Wilcox & Fetzer LTD
Andy Taylor, Esquire

CALL TO ORDER

Mr. Harrington called the meeting to order at 9:01 a.m.

REVIEW OF MINUTES

Mr. Staton made a motion, seconded by Mr. Emory, to approve the minutes of the meeting held on July 11, 2013. By unanimous vote, the motion carried.

NEW BUSINESS

Mr. Harrington moved agenda item 5.4 to the beginning of the agenda.

Hearing – Lauren Felton- Proposed to Deny

Please see below for hearing minutes.

Hearing – Craig Brown – Propose to Annul License

Please see below for hearing minutes.

The Commission took a recess at 11:22 a.m. to 11:32 a.m. following the end of the hearings.

Education Committee Report

There was no report from the Education Committee due to no member being present. The Commission reviewed the minutes from the Education Committee meeting held on August 1, 2013.

Mr. Staton asked Ms. Kelly about the negative instructor evaluation for Mr. Smith. Ms. Kelly explained that since the course provider was using the wrong evaluation form when the Committee totaled up the comments it showed negatively. If the correct form would have been used the instructor would not have had a negative evaluation. The Committee decided to withdraw their letter that was sent out to Mr. Smith advising him of the negative evaluation.

Recommendation to Approve and Deny Course Providers, Instructor Applications and Student Requests as Noted

Mr. Emory made a motion, seconded by Mr. Brannon, to approve to the education approvals submitted to the Education Committee. By unanimous vote, the motion carried.

Applications for Licensure

Ratification of Salesperson Applications

Mr. Allamong made a motion, seconded by Ms. O'Brien, to ratify the following applications for salespersons:

Arthur Douglass, Prudential Fox & Roach Real Estate, Bear, DE
David Burleigh, Meyer & Meyer Realty, Wilmington, DE
Kevin Mills, Harrington ERA Realty, Dover, DE
Robert Taylor, Century 21 Gold Key Realty, Newark, DE
Laura Wisler, RE/MAX Horizons, Inc, Dover, DE
Barbara Woods, Active Adults Realty, Lewes, DE
Mark Gola, Gola Corporate Real Estate, Inc., Norristown, PA
Erica Cespedes-Rose, Prudential Fox & Roach, Newark, DE
Michelle Priola, Long & Foster Real Estate, Ocean City, MD
Herman Ross, Prudential Fox & Roach Realtors, Bear, DE
Heather Massey, Lighthouse Realty Group, Ocean View, DE
Linda Chio, Prudential Fox & Roach Realtors, LLC, Wilmington, DE
Wayne Smith, Keller Williams Select Realtors, Salisbury, MD
Brittany Frick, Long and Foster Real Estate, Bethany Beach, DE
Jacob Ryan, RE/MAX of Wilmington, Wilmington, DE
Anna Doherty, RE/MAX Associates, Newark, DE
Thomas Erbe, Keller Williams Realty, Wilmington, DE
Darlene Morton, Paragon Realtors, Hyattsville, MD
Neil Douen, Long and Foster Real Estate, Wilmington, DE
Joshua Gritton, Lewes Realty, Inc., Lewes, DE
Patricia Rineer, Patterson-Schwartz, Wilmington, DE
Mike Casella, Keller Williams Realty at the Beach, Rehoboth Beach, DE
Michelle Concha, Weichert Realtors, Wilmington, DE
Joel Jon Kreiser, RE/MAX Horizons, Inc., Dover, DE

James Morgera, Weichert Realtors, Wilmington, DE
Frank Viggiano, Realty Mark Concord, Wilmington, DE
Cindy Sander, Patterson Schwartz Real Estate, Greenville, DE
John Teague, Patterson Schwartz, Newark, DE
Mary McLeod, Prudential Gallo Realtors, Lewes, DE
Anthony Sacco, Maggio Shields Real Estate Brokerage, Rehoboth Beach, DE
Steven Rowan, Jack T. Lingo Inc., REALTOR, Rehoboth Beach, DE
Carol Baker, Harrington Realty, Dover, DE
Marie Dispoto, Prudential Gallo, Realtors, Rehoboth Beach, DE

By unanimous vote, the motion carried.

Review of Salesperson Applications

The Commission reviewed the salesperson's application of Adam Ksebe. Mr. Brannon made a motion, seconded by Mr. Emory, to table Mr. Ksebe's application for a court deposition showing that the crimes are misdemeanors and not felonies. By unanimous vote, the motion carried.

The Commission reviewed the salesperson's application of Aafke Lazar. Mr. Brannon made a motion, seconded by Mr. Emory, to approve the application of Ms. Lazar's and grant licensure in Delaware. By unanimous vote, the motion carried.

Review of Broker and Associate Broker Applications

The Commission reviewed the broker's application of Carolyn Johnson. Mr. Staton made a motion, seconded by Mr. Brannon, to approve Ms. Johnson's application. By unanimous vote, the motion carried.

The Commission reviewed the associate broker's application of Robert Hoza. Mr. Staton made a motion, seconded by Mr. Brannon, to approve Mr. Hoza's application. By unanimous vote, the motion carried.

The Commission reviewed the associate broker's application of Patrick Gioffre. Mr. Staton made a motion, seconded by Mr. Brannon, to approve Mr. Gioffre's application. By unanimous vote, the motion carried.

The Commission reviewed the broker's application of Brian Hargrove. Mr. Staton made a motion, seconded by Mr. Brannon, to approve Mr. Hargrove's application. By unanimous vote, the motion carried.

Review of Applications for Reinstatement

The Commission reviewed the application of Lisa Coleman for reinstatement of a salesperson's license. Mr. Staton made a motion, seconded by Mr. Brannon, to approve Ms. Coleman's reinstatement application upon successful passing of the Delaware State Exam. By unanimous vote, the motion carried.

The Commission reviewed the application of Victor Kane for reinstatement of a salesperson's license. Mr. Staton made a motion, seconded by Mr. Brannon, to approve Mr. Kane's reinstatement application upon successful passing of the Delaware State Exam. By unanimous vote, the motion carried.

Review of Applications for New Office

The Commission reviewed the application of Beach Bound Realty, LLC for relocation of office. Mr. Brannon made a motion, seconded by Mr. Emory, to approve this relocation of office application. By unanimous vote, the motion carried.

The Commission reviewed the applications of Jack Lingo, Inc., Realtor for two Branch offices. Mr. Brannon made a motion, seconded by Mr. Emory, to approve both Branch office applications. By unanimous vote, the motion carried.

Status of Complaints

Complaint No. 02-28-13 – Assigned to Mr. Staton

Complaint No. 02-29-13 – Assigned to Mr. Whitfield

Complaint No. 02-30-13 – Assigned to Mr. Staton

Complaint No. 02-31-13 – Assigned to Mr. Harrington

Complaint No. 02-32-13 – Assigned to Mr. White

Complaint No. 02-02-12 – Forwarded to Attorney General's Office

Complaint No. 02-04-12 – Forwarded to Attorney General's Office

Complaint No. 02-06-13 – Forwarded to Attorney General's Office

Hearing Officer Recommendations

No new Hearing Officer Recommendations for August.

OLD BUSINESS

Discussion and Review of Hearing Officer Orders

The Commission reviewed the orders for Ms. Celeste Smith, Mr. Thomas McCambridge, Mr. Kevin Melloy, Ms. Patricia Cummings, Ms. Barbara Boates, Mr. Charles Bolig, and Ms. Denise Roehl. The Commission signed the orders.

The Commission started the hearing for Ms. Felton at 9:37 a.m.

Discussion and Review of Tabled Hearing Officer Recommendations

Gabriel Carey - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Ms. Kelly describing the sanctions. Mr. Allamong made a motion, seconded by Mr. Brannon, to approve the Hearing Officer's recommendation to impose a suspension of Mr. Carey's license to continue until such time as he appears before the Commission for further proceedings. By unanimous vote, the motion carried.

Grimly Foret - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Ms. Kelly describing the sanctions. Mr. Allamong made a motion, seconded by Mr. Staton, to approve the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Dennis Geraghty - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Ms. Kelly describing the sanctions. Mr. Allamong made a motion, seconded by Mr. Brannon, to approve the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Shonda Kelly - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Ms. Kelly describing the sanctions. Mr. Staton made a motion, seconded by Mr.

Brannon, to approve and accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Caroline Njunge - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Ms. Kelly describing the sanctions. Mr. Staton made a motion, seconded by Mr. Allamong, to approve and accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

John Wigton - Commission members reviewed the Rule to Show Cause Recommendation from the Hearing Officer with Ms. Kelly describing the sanctions. Mr. Staton made a motion, seconded by Ms. O'Brien, to approve and accept the Hearing Officer's recommendation as written. By unanimous vote, the motion carried.

Review of Consent Agreement for Case No. 02-10-11 In RE: Stephen R. Paul

Commission members reviewed the consent agreement for Mr. Stephen Paul. After discussion, Mr. Allamong made a motion, seconded by Mr. Brannon, to approve the consent agreement for Mr. Paul. By unanimous vote, the motion carried.

Memorandum from Mr. James Collins

Mr. Collins addressed the Commission and thanked the Commission for adjusting the agenda to allow him to speak first. This memorandum is more of a procedural matter that the Division has seen over the years. Currently all mail goes to the Broker's office and the Division receives many inquiries as to licensees not receiving their mail or not receiving in a timely matter. The Division is going to change the way licensure information is being sent out to the licensees by sending all mail to the licensees' home address with the exception of their license and after discussion with the Chairman of the Commission that any correspondence in reference to complaints or discipline will be sent to the Broker's office. This will give the licensees more accountability of maintaining and updating their license. Mr. Harrington asked Mr. Collins, will the continuing education audit be included in the notification being sent to the office of the Brokers? Mr. Harrington stated that according to the rules the Broker is responsible for the licensees completing their continuing education. Ms. Kelly read rule 13.3.1. Ms. Kelly explained that the rule is putting responsibility on the Broker to make sure that the licensees have completed their CE; the broker is not responsible for the licensee responding to being audited. The Broker would have already made sure all the licensees under them are in compliance with completing their CE therefore putting the responsibility to comply with the audit notice on the individual licensees. Mr. Harrington is in favor of the memorandum and Mr. Collins will make sure all offices and licensees are notified of this change.

OTHER BUSINESS BEFORE THE COMMISSION (for discussion only)

Mr. Harrington had Ms. Wagner print a copy of the Annual Seminar flyer for the Commission to review. Mr. Harrington stated that one of the conversations that came up during the Education Committee's meeting was notification going out to the schools of procedural changes. Mr. Harrington asked the Commission if they felt that the staff should send out an email when changes are made to forms so that the schools know to use the updated form. Mr. Harrington asked if Ms. Williams was available to ask her about sending notification to schools when forms change so they can be informed. Mr. Harrington would like Ms. Williams to come prepared to the next meeting to discuss about notifying the schools of changes.

PUBLIC COMMENT

Mr. Taylor asked what the memorandum was that was discussed on agenda item 5.4. The Commission explained to Mr. Taylor what the memorandum was that Mr. Collins submitted to the

Commission about changes being made to send all correspondence to licensee's home address with a couple exceptions.

Mr. Allamong stated that the Property Disclosure Project is almost done but needed to discuss with the Subcommittee before finalizing. Mr. Allamong asked if the Subcommittee should meet after the next meeting scheduled at Poly Tech Adult Education Center and that it would probably take about 40 minutes. Mr. Harrington said that he thought that would be fine for the Subcommittee to meet after the regular meeting in September.

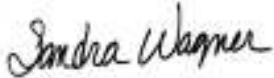
NEXT SCHEDULED MEETING

The next meeting will be held on Thursday, September 12, 2013 at 9:00 a.m., Poly Tech Adult Education Center

ADJOURNMENT

Mr. Brannon made a motion, seconded by Mr. Staton, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 12:05 a.m.

Respectfully submitted,



Sandra Wagner
Administrative Specialist III

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.

HEARING MINUTES

HEARING – LAUREN FELTON

The Delaware Real Estate Commission held a hearing on August 8, 2013 at 9:00 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Michael Harrington, Sr, Andy Staton, Ricky Allamong, Gilbert Emory, James Brannon, Patricia O'Brien

ABSENT: Joseph McCann, Christopher Whitfield, Vincent White

PURPOSE: Propose to Deny

PRESIDING: Michael Harrington, Sr., Chairperson

BOARD STAFF: Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Eileen Kelly, DAG

RESPONDENT: Lauren Felton

COURT REPORTER PRESENT: Chris Vitale, Wilcox and Fetzer

TIME STARTED: 9:37 a.m.

The court reporter took verbatim testimony. Ms. Kelly stated the reason for the hearing. The Commission members introduced themselves. Ms. Kelly entered documents as Commission exhibit 1 Hearing Notice, exhibit 2 Application and supporting documents, exhibit 3 Hearing Officer Recommendation, exhibit 4 Final Order. Ms. Lauren Felton gave her testimony to the Commission. The Commission members asked Ms. Felton questions. The Commission went into deliberations at 9:57 a.m. The Commission's deliberation ended at 10:03 a.m. Mr. Staton made a motion, seconded by Mr. Brannon, to grant Ms. Felton a Salesperson license as the Commission found that Ms. Felton showed no intent to deceive the Commission on her application. By unanimous vote, the motion carried. The hearing concluded at 10:04 a.m.

HEARING MINUTES

HEARING – Craig Brown

The Delaware Real Estate Commission held a hearing on August 8, 2013 at 9:30 a.m. in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Suite 203, Dover, Delaware.

PRESENT: Michael Harrington, Sr, Andy Staton, Ricky Allamong, Gilbert Emory, James Brannon, Patricia O'Brien

ABSENT: Joseph McCann, Christopher Whitfield, Vincent White

PURPOSE: Propose to Annul License

PRESIDING: Michael Harrington, Chairperson

BOARD STAFF: Sandra Wagner, Administrative Specialist III

DEPUTY ATTORNEY GENERAL FOR THE BOARD: Eileen Kelly, DAG

RESPONDENT: Craig Brown

ATTORNEY FOR RESPONDENT: Stephen Norman, Esquire

COURT REPORTER PRESENT: Chris Vitale, Wilcox and Fetzer

TIME STARTED: 10:12 a.m.

The court reporter took verbatim testimony. Ms. Kelly stated the reason for the hearing. The Commission members introduced themselves. Ms. Kelly entered documents as State exhibit 1. Mr. Brown gave her testimony to the Commission. The Commission members asked Mr. Brown questions. The Commission went into deliberations at 10:42 a.m. The Commission's deliberations ended at 11:14 a.m. Mr. Brannon made a motion, seconded by Mr. Staton, to withdraw the proposal to annul Mr. Brown's Salesperson license due to the fact the Mr. Brown was approved in February to receive his license and the Commission did not have a statutory basis to annul his license. Mr. Staton withdrew his second on the motion. Mr. Emory then seconded Mr. Brannon's motion. The Commission then discussed the motion. By majority vote, the motion carried with Mr. Staton and Mr. Allamong opposing. The hearing concluded at 11:20 a.m.